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PTO/SB/31 (02-01)
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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES	Docket Number (Optional) 0274.02-3278.1US (U-2541.1)
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CERTIFICATE OF MAILING Express Mail Label Number: <u>EV348043462</u> Date of Deposit: <u>June 30, 2004</u> Person Making Deposit: <u>Christopher Haughton</u>	In re Application of Herron et al.	
	Application Number 09/839,778	Filed April 20, 2001
	For DIAGNOSTIC DEVICE AND METHOD	
	Group Art Unit 1641	Examiner G. Gabel

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the decision of the examiner.

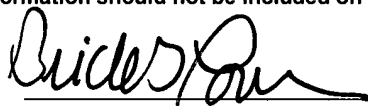
The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 330.00.

- ☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ 165.00.
- ☒ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- ☒ The Commissioner is hereby authorized to charge any **deficiency in fees** which may be required, or credit any overpayment to Deposit Account No. 20-1469. I have enclosed a duplicate copy of this sheet.
- ☒ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

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I am the

- ☐ applicant/inventor.
- ☐ assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)
- ☒ attorney or agent of record.
- ☐ attorney or agent acting under 37 CFR 1.34(a).
Registration number if acting under 37 CFR 1.34(a).



Signature

Brick G. Power Reg. No. 38,581

Typed or printed name

June 30, 2004

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

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